Pages 1 to / à 2

are withheld pursuant to sections

sont retenues en vertu des articles

21(1)(b), 21(1)(a), 19(1), 23

of the Access to Information Act

de la Loi sur l'accès à l'information

s.19(1)

Document disclosed pursuant to the Access to the Information Act
Document divulgué en vertu de la Loi sous l'accès à l'information

[redacted]

Dear [redacted]

I am writing in response to your letter of November 4, 2015, addressed to the Honourable Dr. Carolyn Bennett, Minister of Indigenous and Northern Affairs.

In your letter, you requested information about the fulfillment of Catholic financial obligations under the Indian Residential Schools Settlement Agreement, including whether these obligations were the subject of litigation between the Government of Canada and the Corporation of Catholic Entities Party to the Indian Residential Schools Settlement (the Corporation).

I can confirm that, in December 2013, the Government of Canada filed a Request for Direction with the Court of Queen's Bench for Saskatchewan with respect to matters related to the Corporation's financial obligations under the Settlement Agreement. In particular, Canada asserted that the Corporation was not entitled to claim legal fees as reasonable administrative costs and sought $1.6 million to be reimbursed to the Aboriginal Healing Foundation.

Although Canada and the Corporation originally entered into negotiations to resolve this matter, in the end, court direction was required on various aspects of the Corporation's financial obligations under the Settlement Agreement. On July 16, 2015, the Court determined that Canada and the Corporation had reached a binding agreement, such that, in exchange for reimbursement of $1.2 million of claimed administrative costs, Canada would release the Corporation from its financial obligations under the Settlement Agreement. Accordingly, the Corporation has until January 15, 2016, to issue a payment of $1.2 million to the Legacy of Hope Foundation, the successor entity to the Aboriginal Healing Foundation.

You have also requested information about one specific component of the Catholic Entities' financial obligations under the Settlement Agreement, which is the Entities' commitment to undertake a seven year, Canada-wide fundraising campaign. The Settlement Agreement stipulated that the Catholic Entities had to make "best efforts" to reach $25 million. The seven-year period for this campaign concluded October 19, 2014. The Government of Canada has recently requested a report from the Corporation on its fundraising activities, but has not yet received a response.

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I realize that a referral may not be ideal given past correspondence, but on this aspect, the Corporation does remain your best source of information. I invite you to contact the Corporation directly if you have any further questions about its fundraising campaign and other activities they have undertaken or might contemplate. The Corporation can be contacted via

The Most Reverend Gérard Pettipas,
Archbishop and Chair of the Board of Directors,
Corporation of Catholic Entities Party to the
Residential Schools Settlement
109 Wright Street
GATINEAU, QC J8X 2G7

I would like to take this opportunity to thank you for your interest in this important work. I can assure you that the Government of Canada is committed to a fair and lasting resolution to the legacy of Indian Residential Schools and recognizes that bringing closure to the legacy lies at the heart of reconciliation and a renewal of the relationships between Indigenous people who attended these schools, their families and communities, and all Canadians.

Yours sincerely,

Andrew Saranchuk
Assistant Deputy Minister
Resolution and Individual Affairs Sector
Indigenous and Northern Affairs Canada

c.c.: The Hon. Dr. Hedy Fry, MP PC
c.c.: The Most Reverend Gérard Pettipas

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Document divulgué en vertu de la Loi sous l'accès à l'information

COURT FILE NUMBER	816 of 2005
COURT OF QUEEN'S BENCH OF SASKATCHEWAN	
JUDICAL CENTRE	REGINA
PLAINTIFF(S)	FONTAINE, ET AL
DEFENDANT(S)	A.G. OF CANADA, ET AL

GENERAL FINAL RELEASE

WHEREAS the Indian Residential Schools Settlement Agreement ("IRSSA") was entered into on May 8, 2006, and was approved by nine Courts of Superior Jurisdiction across Canada, including the Saskatchewan Court of Queen's Bench, on December 15, 2006;

AND WHEREAS attached to the IRSSA is Schedule "O-3" being a Settlement Agreement between Her Majesty the Queen in Right of Canada as represented by the Minister Responsible for the Office of Indian Residential Schools Resolution of Canada ("Canada") and the Catholic Entities named in Schedule A to the Settlement Agreement and attached to this General Final Release (the "Catholic Entities") and the Corporation of Catholic Entities Party to the Indian Residential Schools Settlement ("CCEPIRSS");

AND WHEREAS Schedule "O-3" of the Settlement Agreement required the Catholic Entities and CCEPIRSS to meet three specific financial obligations, namely to:

1. make a $29 million cash contribution;
2. contribute $25 million In-Kind Services to support healing and reconciliation programs; and
3. pursue a $25 million Canada-wide best-efforts fundraising campaign (later identified as Moving Forward Together) to support healing and reconciliation programs;

(collectively referred to as "Specific Financial Obligations");

AND WHEREAS, in a ruling on the Request for Directions of the Catholic Entities and CCEPIRSS, dated November 18, 2014, the Honourable Mr. Justice Gabrielson of the Saskatchewan Court of Queen's Bench, on July 16, 2015, found in favour of the Catholic Entities and CCEPIRSS (the "Judicial Ruling");

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AND WHEREAS Canada and the Catholic Entities and CCEPIRSS have agreed that the only issue before Justice Gabrielson, in the November 18, 2014 Request for Directions, was whether or not there had been a settlement of the Specific Financial Obligations;

AND WHEREAS Canada and the Catholic Entities and CCEPIRSS have agreed that paragraphs 5 and 45 of the Judicial Ruling are understood to be limited to the matters before Justice Gabrielson, namely the Specific Financial Obligations;

AND WHEREAS, Canada has filed a Notice of Appeal in the Saskatchewan Court of Appeal in relation to the Judicial Ruling, and the appeal is scheduled to be heard in due course as per the schedule and direction of the Court;

AND WHEREAS, in advance of the appeal of the Judicial Ruling, Canada and the Catholic Entities and CCEPIRSS have agreed to settle all of the Specific Financial Obligations, as specified and defined above, on the basis that CCEPIRSS will pay at Canada's direction the sum of $1.2 million to the Legacy of Hope Foundation;

AND WHEREAS the Catholic Entities and CCEPIRSS are entitled to the benefits of sections 4.5 and 4.6 of the Settlement Agreement as those sections are currently worded in the Settlement Agreement;

NOW THEREFORE, Canada, for good and valuable consideration, the sufficiency of which is hereby irrevocably acknowledged, does hereby remise, release and forever discharge the Catholic Entities (and Missionaires du Christ roi and Les Soeurs Missionaires du Christ (B.C.)) and CCEPIRSS, its directors, officers, shareholders, agents, lawyers and employees (hereinafter jointly and severally called the "Releasees"), of and from all manner of actions, causes of action, suits, debts, dues, accounts, bonds, whatsoever against the Releasees which Canada ever had, now has or hereafter can, shall or may have, or by reason of any cause, matter or thing whatsoever existing up to date hereof arising out of, or relating to, the Specific Financial Obligations;

AND CANADA further covenants and agrees not directly or indirectly, to join, assist, aid or act in concert in any manner whatsoever with any person or entity in making any financial claim or demand whatsoever against the Releasees arising out of or in relation to the aforesaid Specific Financial Obligations hereinbefore remised, released and forever discharged;

AND IN LIGHT OF THE SETTLEMENT of the Specific Financial Obligations, Canada agrees to pay the taxable costs of the Catholic Entities and CCEPIRSS' RFD application of November 18, 2014 and to abandon its appeal of the Judicial Ruling and the Catholic Entities and CCEPIRSS agree to waive any costs in relation to the appeal to which they might otherwise be entitled;

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IN WITNESS WHEREOF Canada has executed this Release as of the _____ day of _____ _____, 2015 under the hand of its duly authorized officer in that behalf.

_____

Colleen Swords
Deputy Minister
Aboriginal Affairs and Northern Development Canada

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SCHEDULE A

LIST OF THE CATHOLIC ENTITIES

1. Sisters of Charity, a body corporate also known as Sisters of Charity of St. Vincent de Paul, Halifax also known as Sisters of Charity of Halifax

2. The Roman Catholic Episcopal Corporation of Halifax

3. Les Soeurs De Notre Dame-Auxiliatrice

4. Les Soeurs de St. Francois D'Assise

5. Insitut Des Soeurs Du Bon Conseil

6. Les Soeurs de Saint Joseph de Saint-Hyacinthe
(The Sisters of St. Joseph of St. Hyacinthe)

7. Les Soeurs de Jesus-Marie

8. Les Soeurs de L 'Assomption de la Sainte Verge

9. Les Soeurs de L'Assomption de la Saint Vierge de l'Alberta

10. Les Soeurs de la Charité de St.-Hyacinthe

11. Les Oeuvres Oblates de l'Ontario

12. Les Résidence Oblates du Québec

13. La Corporation Episcopale Catholique Romaine de la Baie James
(The Roman Catholic Episcopal Corporation of James Bay)
The Catholic Diocese of Moosonee

14. Soeurs Grises de Montréal/Grey Nuns of Montreal

15. Sisters of Charity (Grey Nuns) of Alberta

16. Les Soeurs de La Charité des T.N.O. Grey Nun's Regional Centre

17. Hôtel-Dieu de Nicolet (HDN)

18. The Grey Nuns of Manitoba Inc. Les Soeurs Grises du Manitoba Inc.

19. La Corporation Episcopale Catholique Romaine de la Baie d'Hudson
The Roman Catholic Episcopal Corporation of Hudson's Bay

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20. Missionary Oblates – Grandin

21. Les Oblats de Marie Immaculée du Manitoba

22. The Archiepiscopal Corporation of Regina

23. The Sisters of the Presentation

24. The Sisters of St. Joseph of Sault St. Marie

25. Les Soeurs de la Charité d'Ottawa – Sisters of Charity of Ottawa

26. Oblates of Mary Immaculate – St. Peter's Province

27. The Sisters of Saint Ann

28. Sisters of Instruction of the Child Jesus

29. The Benedictine Sisters of Mt. Angel Oregon

30. Les Peres Montfortains

31. The Roman Catholic Bishop of Kamloops Corporation Sole

32. The Bishop of Victoria, Corporation Sole

33. The Roman Catholic Bishop of Nelson Corporation Sole

34. Order of the Oblates of Mary Immaculate in the Province of British Columbia

35. The Sisters of Charity of Providence of Western Canada

36. La Corporation Episcopale Catholique Romaine de Grouard

37. Roman Catholic Episcopal Corporation of Keewatin

38. La Corporation Archiépiscopale Catholique Romaine de St. Boniface

39. Les Missionnaires Oblates de St. Boniface
The Missionary Oblate Sisters of St. Boniface

40. Roman Catholic Archiepiscopal Corporation of Winnipeg

41. La Corporation Episcopale Catholique Romaine De Prince Albert

42. The Roman Catholic Bishop of Thunder Bay

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43. Immaculate Heart Community of Los Angeles CA

44. Archdiocese of Vancouver
The Roman Catholic Archbishop of Vancouver

45. Roman Catholic Diocese of Whitehorse
The Catholic Episcopal Corporation of Whitehorse

46. The Roman Catholic Episcopal Corporation of Mackenzie

47. The Roman Catholic Episcopal Corporation of Prince Rupert

48. OMI Lacombe Canada Inc.

49. Episcopal Corporation of Saskatoon

50. Soeurs Missionnaires du Christ-Roy / Sisters of Christ the King

s.21(1)(a)
s.21(1)(b)
s.23

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Nicole, Jean-Francois

From: LeBlanc, Alethea
Sent: Friday, August 14, 2015 6:20 PM
To: 'Eric Guimond'; Saranchuk, Andrew (AADNC-AANDC); Simms, Duaine (AADNC-AANDC)
Cc: Karen Cuddy; Véronique Rozon; Schafer, Wayne; Christiansen, Jocelyn
Subject: RE: CCEPIRSS - Notice of Appeal and Negotiation of Court Order and Release - Instructions

Good Friday evening in Ottawa,

[redacted]

Alethea LeBlanc
Counsel/Avocate-conseil
Justice Canada | Ministere de la Justice Canada
780-495-8796

From: Eric Guimond [mailto:Eric.Guimond@aandc-aadnc.gc.ca]
Sent: August-14-15 9:53 AM
To: Saranchuk, Andrew (AADNC-AANDC); Simms, Duaine (AADNC-AANDC)
Cc: LeBlanc, Alethea; Karen Cuddy; Véronique Rozon; Schafer, Wayne
Subject: Re: CCEPIRSS - Notice of Appeal and Negotiation of Court Order and Release - Instructions

Duaine,

[redacted]

s.21(1)(a)
s.21(1)(b)
s.23
Document disclosed pursuant to the Access to the Information Act
Document divulgué en vertu de la Loi sous l'accès à l'information

[redacted]

Thanks again for your support
Eric

>>> Duaine Simms 8/13/2015 5:16 PM >>>
Andrew:

[redacted]

Thanks.

Duaine

Duaine W. Simms
Avocat général et directeur par intérim / A/General Counsel and Director
Ministère de la Justice Canada / Department of Justice Canada
Services juridiques d'AADNC / AANDC Legal Services
Questions des enfants autochtones / Aboriginal Children's Issues
10, rue Wellington, 13e étage / 10 Wellington Street, 13th floor
Gatineau (Québec) K1A 0H4
Téléphone / Telephone : (819) 934-9118
Courriel / E-mail: Duaine.Simms@aadnc-aandc.gc.ca
Gouvernement du Canada / Government of Canada

Vous pouvez me répondre dans la langue officielle de votre choix. | You can reply in the official language of your choice.
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s.21(1)(a)

s.21(1)(b)

s.23

Nicole, Jean-Francois

From: LeBlanc, Alethea
Sent: Thursday, August 13, 2015 5:20 PM
To: Christiansen, Jocelyn
Subject: FW: CCEPIRSS - Notice of Appeal and Negotiation of Court Order and Release - Instructions

From: Duaine Simms [mailto:Duaine.Simms@aadnc-aandc.gc.ca]
Sent: August-13-15 3:17 PM
To: Saranchuk, Andrew (AADNC-AANDC)
Cc: LeBlanc, Alethea; Eric Guimond; Karen Cuddy; Véronique Rozon; Schafer, Wayne
Subject: CCEPIRSS - Notice of Appeal and Negotiation of Court Order and Release - Instructions

Andrew:

Thanks.

Duaine

Duaine W. Simms
Avocat général et directeur par intérim / A/General Counsel and Director
Ministère de la Justice Canada / Department of Justice Canada
Services juridiques d'AADNC / AANDC Legal Services
Questions des enfants autochtones / Aboriginal Children's Issues
10, rue Wellington, 13e étage / 10 Wellington Street, 13th floor
Gatineau (Québec) K1A 0H4
Téléphone / Telephone : (819) 934-9118
Courriel / E-mail: Duaine.Simms@aadnc-aandc.gc.ca
Gouvernement du Canada / Government of Canada

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From: LeBlanc, Alethea

Sent: Friday, August 7, 2015 5:39 PM

To: 'Karen Cuddy'

Cc: Simms, Duaine (AADNC-AANDC); Nathan Benson; Schafer, Wayne; Christiansen, Jocelyn

Subject: RE: CCEPIRSS - draft notice of appeal

Thanks Karen,

I appreciate the review. [redacted]

Will do.

Have a nice weekend.

Alethea LeBlanc
Counsel/Avocate-conseil
Justice Canada | Ministere de la Justice Canada
780-495-8796

From: Karen Cuddy [mailto:Karen.Cuddy@aandc-aadnc.gc.ca]
Sent: August-07-15 3:11 PM
To: LeBlanc, Alethea
Cc: Simms, Duaine (AADNC-AANDC); Nathan Benson
Subject: Fwd: CCEPIRSS - draft notice of appeal

Hi Alethea,

s.19(1)
s.21(1)(a)
s.21(1)(b)
s.23

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If you need anything else from us, just let us know.

Karen

>>> Nathan Benson 8/7/2015 4:58 PM >>>
Good Afternoon Alain,

Nathan

****

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21(1)(b), 20(1)(c), 21(1)(a), 23

of the Access to Information Act

de la Loi sur l'accès à l'information

s.21(1)(a)
s.21(1)(b)
s.23

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From: Nancy Joyes
Sent: 5/21/2015 4:09:23 PM
To: Ronald.Schmalz@aadnc-aandc.gc.ca;Duaine.Simms@aadnc-aandc.gc.ca
CC: Patrick.Mackenzie@aandc-aadnc.gc.ca
BCC:
Subject: Re: Rép. : CCEPIRSS Litigation

Hi -

[redacted]

Nancy

>>> Duaine Simms 5/21/2015 3:31 PM >>>

[redacted]

Duaine

>>>

From: Ronald Schmalz
To: Joyes, Nancy; Simms, Duaine
CC: Mackenzie, Patrick
Date: 21/05/2015 13:42
Subject: Re: Rép. : CCEPIRSS Litigation
Hi Nancy, Patrick and Duaine:

[redacted]

>>> Nicole Ladouceur 5/21/2015 8:12 AM >>>
Ron,

[redacted]

>>> Andrew Saranchuk 5/20/2015 6:36 pm >>>

[redacted]

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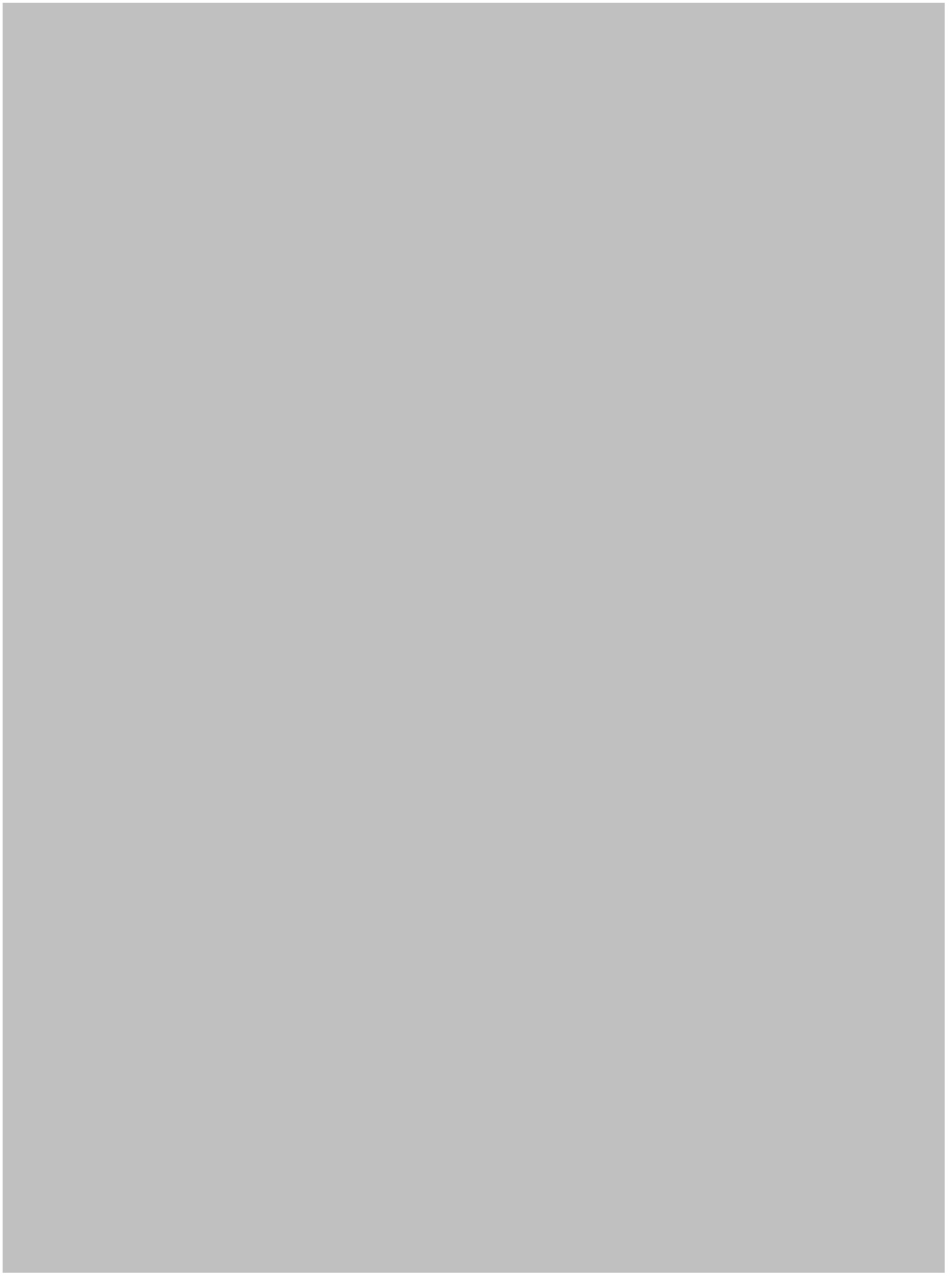
s.21(1)(a)

s.21(1)(b)

s.23



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s.21(1)(a)

s.21(1)(b)

s.23

<<Error! Hyperlink reference not valid.>>

s.21(1)(a)
s.21(1)(b)
s.23

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Nicole, Jean-Francois

From: LeBlanc, Alethea
Sent: Wednesday, September 9, 2015 1:05 PM
To: Schafer, Wayne; Saranchuk, Andrew (AADNC-AANDC); Nancy Joyes
Cc: Lafontaine, Alain (AANDC-AADNC); 'Eric.Guimond@aandc-aadnc.gc.ca'; 'Veronique.Rozon@aandc-aadnc.gc.ca'; McCurry, Pam; Christiansen, Jocelyn; Pazder, Sherri; Simms, Duaine (AADNC-AANDC); Manon Paquet; 'Melinda.Sellers@aandc-aadnc.gc.ca'
Subject: RE: CCEPIRSS Procedural decision of the SKCA

Good afternoon,

[redacted]

Thanks,

Alethea LeBlanc
Counsel/Avocate-conseil
Justice Canada | Ministere de la Justice Canada
780-495-8796

From: Schafer, Wayne
Sent: September-07-15 5:14 PM
To: Saranchuk, Andrew (AADNC-AANDC); Simms, Duaine (AADNC-AANDC)
Cc: Lafontaine, Alain (AANDC-AADNC); 'Eric.Guimond@aandc-aadnc.gc.ca'; 'Veronique.Rozon@aandc-aadnc.gc.ca'; McCurry, Pam
Subject: Re: Fwd: RE: Fw: CEPPIRRS Brief

Thanks Andrew

s.21(1)(a)
s.21(1)(b)
s.23

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[redacted]

Thanks

Wayne Malcolm Schafer, QC

From: Andrew Saranchuk [mailto:Andrew.Saranchuk@aadnc-aandc.gc.ca]
Sent: Monday, September 07, 2015 06:01 PM
To: Simms, Duaine (AADNC-AANDC); Schafer, Wayne
Cc: Lafontaine, Alain (AANDC-AADNC); Eric Guimond <Eric.Guimond@aandc-aadnc.gc.ca>; Véronique Rozon <Veronique.Rozon@aandc-aadnc.gc.ca>; McCurry, Pam
Subject: Re: Fwd: RE: Fw: CEPPIRRS Brief

[redacted]

>>> "Schafer, Wayne" <Wayne.Schafer@JUSTICE.GC.CA> 9/7/2015 4:07:49 PM >>>
Good afternoon

[redacted]

Thank you

Wayne Malcolm Schafer Q.C.

s.21(1)(a)
s.21(1)(b)
s.23

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From: Duaine Simms [mailto:Duaine.Simms@aadnc-aandc.gc.ca]
Sent: Friday, September 04, 2015 07:24 PM
To: Saranchuk, Andrew (AADNC-AANDC)
Cc: Lafontaine, Alain (AANDC-AADNC); Eric Guimond <Eric.Guimond@aandc-aadnc.gc.ca>; McCurry, Pam; Schafer, Wayne
Subject: Fwd: RE: Fw: CEPPIRRS Brief

Andrew:

[redacted]

Duaine

>>>

> **From:** Andrew Saranchuk
> **To:** Duaine Simms
> **CC:** Eric Guimond; Pam McCurry; Wayne Schafer
> **Date:** 04/09/2015 19:10
> **Subject:** Fwd: RE: Fw: CEPPIRRS Brief
> [redacted]
>
> >>> On 9/4/2015 at 6:08 PM, in message <55EA1661.301 : 24 : 32954>, Duaine Simms wrote:
> Andrew:

s.21(1)(a)
s.21(1)(b)
s.23

Document disclosed pursuant to the Access to the Information Act
Document divulgué en vertu de la Loi sous l'accès à l'information

[redacted]

Duaine

>>>

From: Duaine Simms
To: Eric Guimond; Manon Paquet; Melinda Sellers; Wayne Schafer
CC: Alethea LeBlanc; Allan Mason; Jocelyn Christiansen
Date: 04/09/2015 17:34
Subject: RE: Fw: CEPPIRRS Brief

Eric:

[redacted]

Duaine

>>>

From: "Schafer, Wayne" <Wayne.Schafer@JUSTICE.GC.CA>
To: 'Eric Guimond' <Eric.Guimond@aandc-aadnc.gc.ca>, "Simms, Duaine(AADNC-AANDC)" <Duaine.Simms@aadnc-aandc.gc.ca>, Manon Paquet <Manon.Paquet@aadnc-aandc.gc.ca>, Melinda Sellers <Melinda.Sellers@aandc-aadnc.gc.ca>
CC: "LeBlanc, Alethea" <Alethea.LeBlanc@justice.gc.ca>, "Mason, Allan" <Allan.Mason@justice.gc.ca>, "Christiansen, Jocelyn" <Jocelyn.Christiansen@justice.gc.ca>
Date: 04/09/2015 17:30
Subject: RE: Fw: CEPPIRRS Brief

Good afternoon Eric;

[redacted]

s.21(1)(a)
s.21(1)(b)
s.23

Document disclosed pursuant to the Access to the Information Act
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Regards

Wayne

Wayne Malcolm Schafer, Q.C.
Senior Counsel - IRS Team Leader / Avocat principal - Chef d'equipe
Aboriginal Law Services / Services du droit autochtone
Prairie Region / Region des Prairies
Department of Justice Canada / Ministere de la Justice Canada
EPCOR Tower
300, 10423 - 101st Street / 300, 10423 - rue 101
Edmonton, Alberta T5H 0E7 / Edmonton (Alberta) T5H 0E7
wayne.schafer@justice.gc.ca
Telephone / Telephone 780-495-7232
Facsimile / Telecopieur 780-495-2964
Government of Canada / Gouvernment du Canada

rom: Eric Guimond [mailto:Eric.Guimond@aandc-aadnc.gc.ca]
Sent: Friday, September 04, 2015 3:23 PM
To: Simms, Duaine (AADNC-AANDC); Manon Paquet; Melinda Sellers; Schafer, Wayne
Subject: Re: Fw: CEPPIRRS Brief

s.21(1)(a)
s.21(1)(b)
s.23

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Bonsoir Wayne,

[redacted]

Be well
Eric

>>> Melinda Sellers <Melinda.sellers@aandc-aadnc.gc.ca> 9/4/2015 4:56 PM >>>

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Schafer, Wayne <Wayne.Schafer@JUSTICE.GC.CA>
Sent: Friday, September 4, 2015 4:52 PM
To: Duaine Simms; Melinda Sellers
Subject: CEPPIRRS Brief

Hi

[redacted]

Wayne
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